

MAY 06 2009

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**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION**

**JAMES BOYD,**  
**Plaintiff,**

**V.**

**HAMILTON,**  
**Defendant.**

**Civil Action No. 7:09cv00134**

**FINAL ORDER**

**By: Samuel G. Wilson**  
**United States District Judge**

In accordance with the Memorandum Opinion entered this day, it is hereby **ADJUDGED AND ORDERED** that Boyd's complaint is hereby **DISMISSED** without prejudice pursuant to 28 U.S.C. §1915(g), his motion to proceed in forma pauperis is **DENIED**, and this case will be **STRICKEN** from the active docket of the court.

The Clerk of the Court is directed to send certified copies of this Order and accompanying Memorandum Opinion to plaintiff.

**ENTER:** This 6<sup>th</sup> day of May, 2009.

United States District Judge